

RESPONSE - NOTICE OF MISSING REQUIREMENTS

PATENT

A32964-PCT-USA - 072874.0132

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Hans Achenbach
Serial No. : 09/463,851
Filed : January 31, 2000
For : PHARMACEUTICAL COMPOUNDS ISOLATED FROM
ARISTOLOCHIA TALISCANA

RESPONSE TO NOTICE TO FILE MISSING REQUIREMENTS
UNDER U.S.C. 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)

EXPRESS MAIL LABEL NO. # EJ339573419US

Assistant Commissioner of Patents

Box PCT

Washington, D.C. 20231

Sir:

Responsive to the Notice to File Missing Parts of Application Under 37 C.F.R.
1.53(f), enclosed herewith is a Declaration referring to the above-identified application by one or
more of the following in compliance with 37 C.F.R. 1.63:

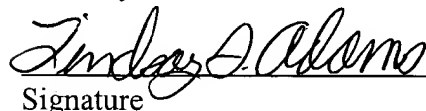
- ☒ Name of inventor and application serial number;
☐ Name of inventor, attorney docket number which was on the application as filed,
and filing date of the application;
☐ Name of inventor, title of invention and filing date;

CERTIFICATE OF MAIL

I hereby certify that this paper is being deposited with the United States Postal Service as
Express Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington,
D.C. 20231, on June 5, 2000.

Lindsay S. Adams

Attorney Name


Signature36,425

Registration No.

06/12/2000 PVOLPE 00000037 09463851

June 5, 2000

Date of Signature

01 EC:115
110.00 OP
130.00 OP

- ☐ Name of inventor, title of invention and reference to a specification which is attached to the oath or declaration at the time of execution and filed with the oath or declaration;
- ☐ Name of inventor, title of invention. As presently advised, the undersigned, a registered attorney, states that the application filed in the PTO is the application which the inventor executed by signing the oath or declaration.

Also enclosed are:

1. ☒ A check in the amount of \$ 130.00
☒ \$130 - Other than Small Entity
☐ \$ 65 - Small Entity
representing payment of the surcharge
due for late filing of the Declaration
pursuant to 37 C.F.R. 1.16(e);
2. ☒ An extension of time to file the Response
to Missing Parts is respectfully requested.
The required fee, calculated pursuant to
1.136(a), is enclosed in the amount of \$ 110.00
3. ☒ Other Copy of Notification of Missing
Requirements; Combined Declaration
and Power of Attorney \$ _____

TOTAL FEE \$ 240.00

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication to Deposit Account No. 02-4377. A duplicate copy of this sheet is enclosed.

Respectfully submitted,



Lindsay S. Adams

Patent Office Reg. No. 36,425
Attorney for Applicant
(212) 408-2532

09/463851

09/463851



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS

Box PCT

Washington, D.C. 20231

U.S. APPLICATION NO.

ACHENBACH

FIRST NAMED APPLICANT

ATTY. DOCKET NO. 02764

PCT/U

ROCHELLE K SEIDE

5071

INTERNATIONAL APPLICATION NO.

PCT/US98/02317

BAKERBOTT
30 ROCKSFELLER PLAZA

NEW YORK NY 10112-0228

I.A. FILING DATE

07/31/98

PRIORITY DATE

07/31/97

04/03/00

DATE MAILED:

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☐ a non-English language.

☒ English.

☒ Translation of the international application into English.

☐ Oath or Declaration of inventor(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☒ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☐ Preliminary amendment(s) filed _____ and _____.

☐ Information Disclosure Statement(s) filed _____ and _____.

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed _____.

☐ Statement Claiming Small Entity Status.

☒ Priority Document.

☒ Copy of the International Search Report ☒ and copies of the references cited therein.

☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice *MUST* be returned with this response.

Enclosed: ☐ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Telephone: (703) 305-3061

BAKER BOTTS L.L.P.

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Docketed

For 5 13 12000 By

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